



STATE OF CALIFORNIA
DECISION OF THE
PUBLIC EMPLOYMENT RELATIONS BOARD

DAVID H. FLANNAGAN,)	
)	
Charging Party,)	Case No. LA-CO-572
)	
v.)	PERB Decision No. 945
)	
CALIFORNIA SCHOOL EMPLOYEES)	June 24, 1992
ASSOCIATION,)	
)	
Respondent.)	

Appearance: David H. Flannagan, on his own behalf.

Before Hesse, Chairperson, Camilli and Carlyle, Members.

DECISION AND ORDER

CARLYLE, Member: This case is before the Public Employment Relations Board (PERB or Board) on appeal by David H. Flannagan (Flannagan) of a Board agent's dismissal of his charge that the California School Employees Association violated section 3543.6(b) of the Educational Employment Relations Act.¹ PERB

¹EERA is codified at Government Code section 3540 et seq. Section 3543.6 states, in pertinent part:

It shall be unlawful for an employee organization to:

(b) Impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights guaranteed by this chapter.

Regulation 32635(a),² which governs review of dismissals, states, in pertinent part:

The appeal shall:

(1) State the specific issues of procedure, fact, law or rationale to which the appeal is taken;

(2) Identify the page or part of the dismissal to which each appeal is taken;

(3) State the grounds for each issue stated.

Flannagan's appeal, in its entirety, consists of an amended unfair practice charge. This appeal does not comply with PERB Regulation 32635, as it does not identify which portions of the dismissal are challenged, nor does it indicate the grounds for the appeal. The Board has held that compliance with regulations governing appeals is required to afford the respondent and the Board an adequate opportunity to address the issues raised, and noncompliance will warrant dismissal of the appeal. (Oakland Education Association (Baker) (1990) PERB Decision No. 827, p. 2; United Teachers - Los Angeles (Abboud, et al.) (1989) PERB Decision No. 738, p. 2.) The Board therefore rejects the appeal.

The unfair practice charge in Case No. LA-CO-572 is hereby DISMISSED WITHOUT LEAVE TO AMEND.

Chairperson Hesse and Member Camilli joined in this Decision.

²PERB Regulations are codified at California Code of Regulations, title 8, section 31001 et seq.